

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XIAOCHUN GAO,

Plaintiff,

-V-

SAVOUR SICHUAN INC., *et al.*,

Defendants.

19 Civ. 2515 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On March 6, 2023 Defendant Xiaoman Duan filed an answer and counterclaims to Plaintiff's Third Amended Complaint. Dkt. 144. On March 21, 2023, Plaintiff moved to dismiss those counterclaims. Dkt. 145. The Court denied Plaintiff's motion without prejudice on March 30, 2023, as Plaintiff failed to comply with the pre-motion letter requirement set forth in the Court's Individual Rules and Practices in Civil Cases. Dkt. 148. As Plaintiff never sought leave to file a motion to dismiss, and since pursuant to Federal Rule of Civil Procedure 12(a)(1)(B) Plaintiff's time to respond to the counterclaims expired on March 27, 2023, Plaintiff shall answer Defendant's counterclaims by May 5, 2023.

SO ORDERED.

Dated: May 2, 2023
New York, New York

T. P. C.

JOHN P. CRONAN
United States District Judge